United Nations A/62/847

General Assembly

Distr.: General
27 May 2008
English
Original: Spanish

Sixty-second session
Agenda item 113 (d)
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 23 May 2008 from the Permanent Representative of Spain to the United Nations addressed to the President of the General Assembly

I have the honour to refer to your letter of 22 May providing notification of errors made by the Secretariat in establishing the voting record of the election to fill the two seats on the Human Rights Council allocated to the Group of Western European and other States, which had taken place in the General Assembly on 21 May 2008, as read out at the plenary meeting of the General Assembly on the same day. According to the information now received from the Secretariat, the number of abstentions had been reported as only one, instead of ten, and the number of States voting had been reported as 182 rather than 189.

Despite the errors indicated and the procedure by which they were detected, Spain has no intention of challenging the results of the vote, having already expressed, and wishing to reiterate, its congratulations to its friends and partners France and the United Kingdom of Great Britain and Northern Ireland on their election, and firmly believing that they will work constructively in the Council to promote and protect human rights. In pursuit of that aim, Spain will lend them, and the members of the Council as a whole, its full support.

These comments notwithstanding, and in order to give the General Assembly the respect due to it, Spain, as a Member State, wishes to express its deep concern at the manner in which the votes of the Member States were counted and the relevant voting record was established.

It is surprising that errors as significant as those acknowledged in your letter of 22 May should have been made in preparing the record of such an important election. Moreover, it does not appear from that letter that the representatives of the various regional groups were present during the process of tracing the errors and validating the figures for the number of abstentions recorded and the number of States voting, as would be appropriate in any election with the appropriate guarantees.

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Lastly, Spain believes that what occurred makes it appropriate for the General Assembly to reflect on which aspects of the electoral procedures could be improved to benefit its own credibility as a main body of the Organization. We trust that the Office of the President, together with the Bureau and with the assistance of the Secretariat, will take the immediate action needed to correct the shortcomings detected in the electoral procedures.

I should be grateful if you would have the present letter circulated as a document of the General Assembly.

(*Signed*) Juan Antonio **Yáñez-Barnuevo**